

IN THE CLAIMS

Claims 1-10 (canceled)

Claim 11 (currently amended): A method of treating sinusitis and rhinitis <sup>ok or gel</sup> ~~an upper respiratory disease~~ in a human or an animal in need thereof, the method comprising:

C4 administering to a nasal passageway of the human or the animal a composition comprising <sup>lactic acid</sup> alpha-hydroxypropionic acid and a pharmaceutically acceptable vehicle, wherein the alpha-hydroxypropionic acid is in a concentration of 0.2-10 vol.% based on the volume of the acceptable pharmaceutical vehicle.

Claim 12 (currently amended): The method as claimed in claim 11, wherein the pharmaceutically acceptable vehicle comprises ~~is selected from the group consisting of 1,2,3-propanetriol, 1,2-propanediol, and serum, or a balanced mixture consisting of at least two of the foregoing.~~

Claims 13-16 (canceled)

C5 Claim 17 (currently amended): The method as claimed in claim 11, wherein the composition ~~medicine~~ is used as a nasal releaser. <sup>ok or gel</sup>

Claims 18 and 19 (canceled)

Claim 20 (previously amended): The method as claimed in claim 12, wherein the pharmaceutically acceptable vehicle is 1,2,3-propanetriol.

Claim 21 (previously amended): The method as claimed in claim 12, wherein the pharmaceutically acceptable vehicle is serum.

Claim 22 (previously amended): The method as claimed in claim 12, wherein the pharmaceutically acceptable vehicle is 1,2-propanediol.

Claim 23 (canceled)

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Claim 24 (currently amended): The method as claimed in claim 1123, wherein the composition is placed into a pharmaceutically acceptable form ~~consisting of~~ includes drops, a spray, ~~or a fine powder~~ <sup>and</sup> a solution for intake in drops, spray, and a fine powder.

Claims 25 and 26 (canceled)

Claim 27 (new): The method of Claim 22, wherein the composition has a ratio of the alpha-hydroxypropionic acid to the 1,2-propanediol of 1:1 to 1:5.

Claim 28 (new): A method of treating an upper respiratory infection in a human or an animal in need thereof, the method comprising:

*Sup only for Sinusitis + rhinitis*  
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*abcess*

administering to a nasal passageway of the human or the animal a composition comprising:

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alpha-hydroxypropionic acid; and

a pharmaceutically acceptable vehicle comprising 1,2,3-propanetriol, 1,2-propanediol, a serum of 1,2-propanediol, or balanced mixtures of at least two of the foregoing vehicles;

*no sup in any spec*

wherein the alpha-hydroxypropionic acid is in a concentration of 0.2-10 vol.% based on the volume of the acceptable pharmaceutical vehicle.

Claim 29 (new): The method of Claim 27, wherein the upper respiratory infection results in sinusitis or rhinitis.

Claim 30 (new): A method of treating an upper respiratory infection caused by bacteria in a human or an animal in need thereof, the method comprising:

administering to a nasal passageway of the human or the animal a composition comprising alpha-hydroxypropionic acid and a pharmaceutically acceptable vehicle, wherein the alpha-hydroxypropionic acid is in a concentration of 0.2-10 vol.% based on the volume of the acceptable pharmaceutical vehicle.

Claim 31 (new): The method of Claim 30, wherein the pharmaceutically acceptable vehicle comprises 1,2,3-propanetriol, 1,2-propanediol, a serum of 1,2-propanediol, or balanced mixtures of at least two of the foregoing vehicles.

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Claim 32 (new): The method of Claim 30, wherein the upper respiratory infection results in sinusitis or rhinitis.

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